

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

RUBEN M. BUCKNER,	§	
(TDCJ # 1093899),	§	
Petitioner,	§	
VS.	§	CIVIL ACTION NO.4:06-CV-650-Y
	§	
NATHANIEL QUARTERMAN, Director,	§	
T.D.C.J., Correctional	§	
Institutions Div.,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner Ruben M. Buckner, along with the November 9, 2006, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until November 30, 2006, to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.

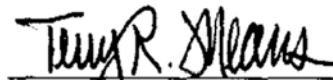
The Court has reviewed the pleadings and the record in this case and has reviewed for clear error the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on November 9, 2006. The Court concludes that Quarterman's motion to dismiss should be granted, and the petition for writ of habeas corpus dismissed with prejudice, for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions and recommendation of the magistrate judge are ADOPTED.

Respondent Quarterman's motion to dismiss [docket no. 5] is GRANTED.

Petitioner Ruben M. Buckner's petition for writ of habeas corpus is DISMISSED WITH PREJUDICE.

SIGNED December 7, 2006.

A handwritten signature in black ink, appearing to read "Terry R. Means", written over a horizontal line.

TERRY R. MEANS

UNITED STATES DISTRICT JUDGE